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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,082	02/19/2004	Jason Carnahan	101950.00181	4772

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EXAMINER

MARTINEZ, DAVID E

ART UNIT	PAPER NUMBER
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2181

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/782,082

Applicant(s)

CARNAHAN ET AL.

Examiner

David E. Martinez

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20,22,23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20,22,23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/29/07.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 12/18/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Number 10/766,660 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Objections

Claim 12 is objected to because of the following informalities: Claim 12, which includes all of the limitations of claim 1, calls for a fourth interface, when Claim 1 only calls for a first and a second interface. It would make more sense to have the fourth interface be renamed a third interface since it is actually a third interface relative to claim 1, and not a fourth interface.

Appropriate correction is required.

Claim 25 is objected to because of the following informalities: Claim 25 currently depends from cancelled claim 24. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regards to claim 12,

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2181

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-16, 20, 21,25, are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. US 20040024809 to Edwards et al. (hereinafter Edwards).

1. With regards to claim 1, Edwards teaches a connectivity device [fig 1 element 10], comprising:

a processor executing an operating system [fig 1 element 12, paragraph 16];

a first interface responsively coupled to the processor [fig 1 element 12 has a network interface that connects to network element 18 – paragraph 16] and adapted to communicate with a physically remote handheld portable communications device [fig 1 elements 14(1) to 14(n)]; and

a second interface responsive to the processor [fig 1 element 16 has a network interface that connects it to network element 18 – paragraph 18] and adapted to drive a physically remote display as a function of commands received from the physically remote handheld portable communications device [paragraph 22].

2. With regards to claim 4, Edwards teaches the connectivity device as specified in claim 1 wherein the handheld communications device comprises a Personal Digital Assistant (PDA) [fig 1 elements 14(1) to 14(n) – paragraphs 17 and 22].

3. With regards to claim 5, Edwards teaches the connectivity device as specified in claim 1 wherein the handheld communications device comprises a smartphone [paragraph 19].

Art Unit: 2181

4. With regards to claim 6, Edwards teaches the connectivity device as specified in claim 1 wherein the first interface is adapted to serially communicate with the handheld communications device [paragraph 20].
5. With regards to claim 7, Edwards teaches the connectivity device as specified in claim 1 wherein the first interface is adapted to wirelessly communicate with the handheld communications device [paragraph 20].
6. With regards to claim 8, Edwards teaches the connectivity device as specified in claim 1 wherein the handheld communications device has a processor, and memory storing data indicative of visual images [paragraph 17], wherein the second interface is adapted to communicate the data to the display device for visually rendering the data [paragraph 22].
7. With regards to claim 9, Edwards teaches the connectivity device as specified in claim 9 wherein the processor is enabled to receive data indicative of visual images via the third interface [paragraph 22].
8. With regards to claim 10, Edwards teaches the connectivity device as specified in claim 9 wherein the data is indicative of slides and forms a visual presentation [paragraphs 22 and 24].
9. With regards to claim 11, Edwards teaches the connectivity device as specified in claim 1 further comprising a third interface adapted to communicate with an external data network [fig 1 element 14(1) to 14(n) have an interface to communicate with network element 18 - paragraph 20].
10. With regards to claim 12, Edwards teaches the connectivity device as specified in claim 1 further comprising a fourth interface adapted to receive control data and responsively communicate the control data to the handheld communications device [fig 8 shows a GUI interface and buttons that control the handheld communications device].

Art Unit: 2181

11. With regards to claim 13, Edwards teaches the connectivity device as specified in claim 12 wherein the fourth interface is adapted to receive and communicate the control data from a keyboard [fig 8 shows a GUI interface and buttons (a keypad/keyboard) that control the handheld communications device].

12. With regards to claim 14, Edwards teaches the connectivity device as specified in claim 13 wherein the fourth interface is adapted to receive and communicate the control data from a mouse [paragraph 41].

13. With regards to claim 15, Edwards teaches the connectivity device as specified in claim 14 wherein the communication device is adapted to detect and forward the keyboard and mouse control data to the handheld communications device such that it is executable thereby [fig 8 element 14, paragraphs 40-41].

14. With regards to claim 16, Edwards teaches the connectivity device as specified in claim 15 wherein the keyboard control data is translated into keystrokes such that it is executable by the handheld communications device [paragraphs 40-41].

15. With regards to claim 17, Edwards teaches the connectivity device as specified in claim 15 wherein the mouse control data is translated into stylus taps and cursor movements such that it is executable by the handheld communications device [fig 8 element 14 discloses buttons 34 being part of the GUI which is accessible by mouse or by the GUI interface (stylus taps) – paragraphs 40-41].

16. With regards to claim 22, Edwards teaches the connectivity device as specified in claim 8 wherein the first interface is adapted to communicate with the handheld communications device using a 802.11 protocol [paragraph 20].

Art Unit: 2181

17. With regards to claim 25, Edwards teaches the connectivity device further comprising RAM memory operatively coupled to the processor [paragraphs 16, 17 and 18. the Server, the PDA and the projector all include RAM memory and a processor].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 20040024809 to Edwards et al. (hereinafter Edwards). In view of US Patent Application Publication No. US 20040088452 A1 to Scott.

18. With regards to claim 2, Edwards is silent as to the connectivity device as specified in claim 1 wherein the operating system is configured as a USB host system providing a communication channel to the handheld portable communications device, however, Scott teaches an operating system [fig 2 element 232, figure 6 element 632 paragraphs 38, 59] configured as a USB host system [paragraph 35] providing a communication channel to a handheld portable communications device [figure 2 element 210, figure 6 element 610] for the benefit of using the USB protocol to provide user ease of setup of the communication channel between two elements.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Edwards and Scott to have the operating system be configured as a USB host system providing a communication channel to the handheld portable communications device for the benefit of using the USB protocol to provide user ease of setup of the communication channel between the two elements.

Art Unit: 2181

19. With regards to claim 3, the combination of Edwards and Scott teaches the connectivity device as specified in claim 2 wherein the operating system is configured to connect to a highest numbered endpoint via the first interface [when a USB device connects to a host device, it always takes the highest numbered endpoint] for the same reasons as those above under claim 2.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 20040024809 to Edwards et al. (hereinafter Edwards). In view of US Patent No. 6,493,745 to Cherian.

20. With regards to claims 18 and 19, Edwards is silent as to the connectivity device as specified in claim 16 and 17, wherein the keystrokes, the stylus taps and cursor movements are inserted into a data queue. However, Cherian teaches storing user inputs (keystrokes, stylus taps and cursor movements) into a data queue for the benefit of holding local items until processed in order to prevent a perception to a user of slow processing or system lockout due to extended delay in processing a local item while the processing of a server-based item takes place [column 1 lines 33-45, line 65 to column 2 line 2].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Edwards and Cherian to have the keystrokes, the stylus taps and cursor movements are inserted into a data queue for the benefit of holding local items until processed in order to prevent a perception to a user of slow processing or system lockout due to extended delay in processing a local item while the processing of a server-based item takes place.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 20040024809 to Edwards et al. (hereinafter Edwards). In view of US Patent No. 5,736,968 to Tsakiris.

21. With regards to claim 20, Edwards is silent as to the connectivity device as specified in claim 14 wherein the connectivity device has a fifth interface adapted to receive wireless control data from a physically remote control device such that the connectivity device is controllable as a function of the wireless control data, however, Tsakiris teaches having an interface adapted to receive wireless control data from a physically remote control device such that a connectivity device is controllable as a function of the wireless control data for the benefit of adding flexibility and control to a presenter during a presentation by enabling a presenter to perform certain preselected function without standing at a presenting device [abstract, column 1 lines 36-51, column 3 lines 51-65].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Edwards and Tsakiris to have a fifth interface adapted to receive wireless control data from a physically remote control device such that the connectivity device is controllable as a function of the wireless control data for the benefit of adding flexibility and control to a presenter during a presentation by enabling a presenter to perform certain preselected function without standing at a presenting device.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 20040024809 to Edwards et al. (hereinafter Edwards). In view of US Patent No. 6,671,737 to Snowdon et al. (hereinafter Snowdon).

22. With regards to claim 23, Edwards is silent as to the connectivity device as specified in claim 9 wherein the first interface comprises an infrared transceiver, however, Snowdon teaches a PDA using an infrared transceiver to communicate over a first interface for the benefit of being able to communicate without having to do a physical docking [column 9 lines 52-63].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Edwards and Snowdon to have the first interface comprise an

Art Unit: 2181

infrared transceiver to be able to communicate with a handheld portable communications device for the benefit of communicating with it without having to do a physical docking.

Response to Arguments

Applicant's arguments filed 12/18/06 have been fully considered but they are not persuasive.

Applicant's arguments regarding claim 1 [remarks page 8] are not persuasive. The arguments are directed to the Edwards reference as being not applicable as prior art due to the instant case (serial no. 10/782,082) having a priority to case serial no. 09/559,678 that dates back to 4/27/00. The examiner respectfully disagrees. The applicant **intentionally** waved the benefit claim to application no. 09/559,678 in a "Request for Updated Filing Receipt" submitted to the Office on 4/25/05 which explicitly recites to remove the priority claim of application no. 09/559,678. The Office refuses to accept the benefit claim to case no. 09/559,678 because the waving of the benefit was not unintentional. See MPEP 201.11-III-G (also being attached at the end of this office action – MPEP page 200-68). The refusal makes the Edwards reference competent prior art and thus the rejection to claim 1 stands.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application Publication No. US 20060075166A1 to Grassian et al. teaches a PDA coupled to a function integrated circuit that is coupled to a display that can be used for presentations.

US Patent No. 7,047,326 to Crosbie et al. teaches in figure 9 a handheld device coupled to a projector to generate presentations.

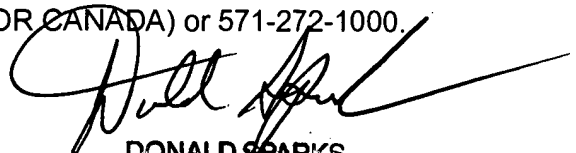
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Martinez whose telephone number is (571) 272-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 571-272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DONALD SPARKS
SUPERVISORY PATENT EXAMINER